

APPENDIX A

**RESOLUTION ADOPTING THE MARION ROAD TRUNK SANITARY SEWER PROJECT
AUAR ORDER FOR REVIEW**

RESOLUTION

WHEREAS, in 1999, the City of Rochester established a Water Quality Protection Project to extend public water and sewer to homes with failing wells and septic systems in areas with near-surface ground water, including portions of Marion Township, southeast of the City of Rochester; and,

WHEREAS, the Minnesota Pollution Control Agency (MPCA) included the completion of an environmental review process known as an Alternative Urban Areawide Review (AUAR) as a condition of the Marion Road Trunk Sanitary Sewer construction permit; and,

WHEREAS, an AUAR is a substitute form of environmental review that replaces an Environmental Assessment Worksheet (EAW) or Environmental Impact Statement as provided for in Minnesota Rules Chapter 4410.3600 through 4410.4000 and was determined by the MPCA to be the most appropriate form of environmental review for the Marion Road Trunk Sanitary Sewer project; and,

WHEREAS, the City of Rochester is the local unit of government that has adopted a comprehensive plan such that they may be the Responsible Governmental Unit (RGU) assigned the responsibility of conducting the AUAR for the area to be served by the Marion Trunk Sanitary Sewer; and,

WHEREAS, Minnesota Rule 4410.3610 (AUAR process) Subpart 3 requires an 'order for review' to define the review area boundaries and the "anticipated nature, location and intensity" of projected future development; and,

WHEREAS, the AUAR project area includes approximately 4,300 acres adjacent to the City of Rochester in Marion Township and is generally bounded by TH 14 on the north, 50th Avenue SE on the east, TH 52 on the south and the easterly corporate limits of the City of Rochester (see attachment 1); and,

WHEREAS, land use in the project area is guided by the "Olmsted County General Land Use Plan" and the "Land Use Plan for the Rochester Urban Service Area" for the Rochester 25-Year Urban Service and 50-Year Urban Reserve Areas, as well as regional Transportation and Infrastructure Plans; and,

WHEREAS, the project assumes a hypothetical development scenario that is consistent with the governing Land Use Plans for the Rochester Urban Service and Reserve Areas and includes predominantly residential development with some neighborhood commercial nodes that would serve residential areas (see attachment 1 and attachment 2); and,

WHEREAS, the RGU shall complete and adopt the AUAR document within 120 days after the effective date of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the City of Rochester hereby adopts this Order for Review for the Marion Trunk Sanitary Sewer Project AUAR for the environmental review of the project area as described on Attachment 1.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 23rd DAY OF JANUARY, 2002.

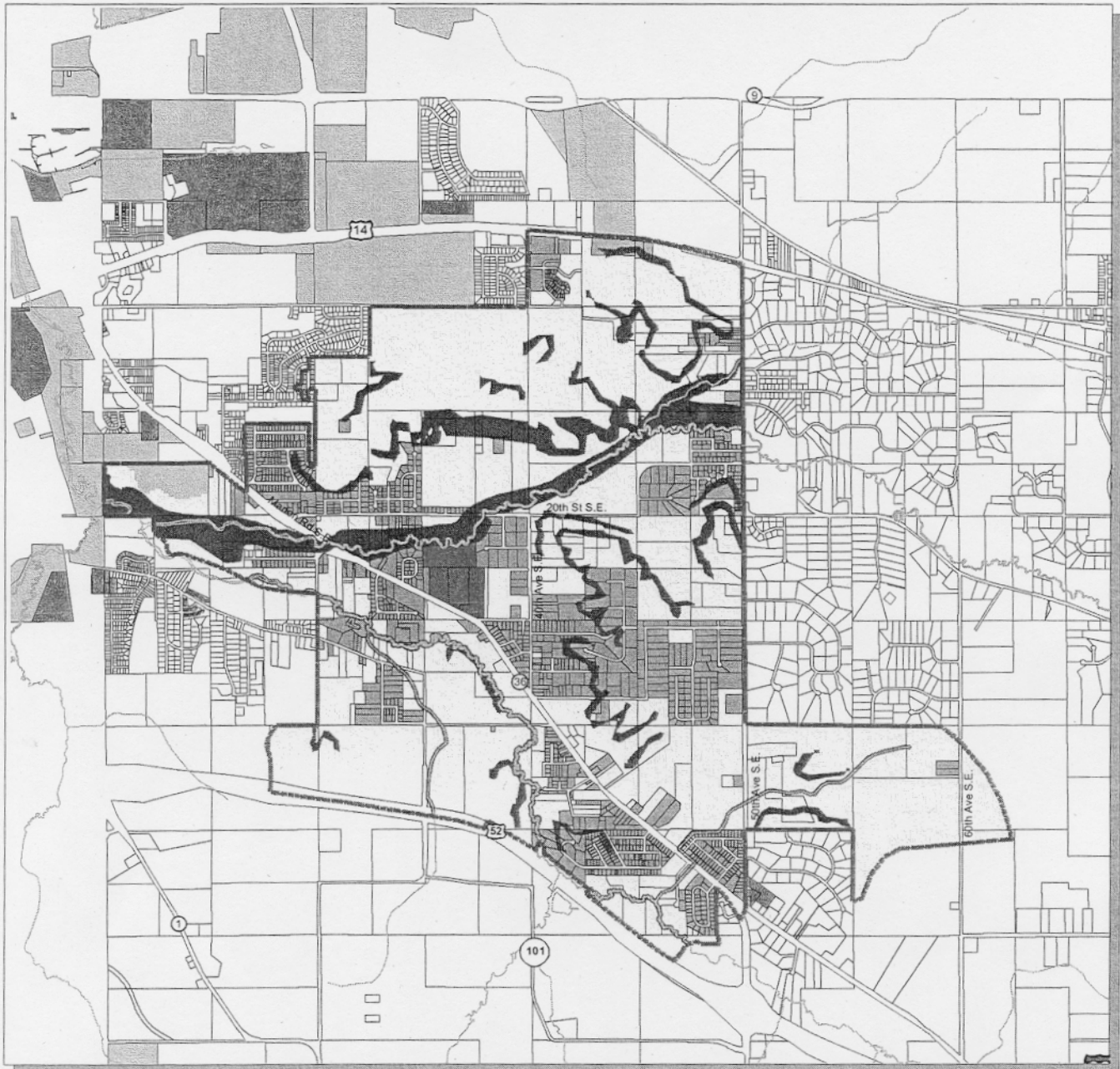
John Hunsicker
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Andy Klay
CITY CLERK

APPROVED THIS 24th DAY OF JANUARY, 2002.

Ed Confield
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)



Legend

Informational Items

- Parks, Recreation, and Open Space - Planned and Existing
- Existing Schools
- Water
- Intended AUAR Project Area (as revised)

Hypothetical Development Scenario as it pertains to potential Environmental Impacts

- Low Density Residential (1)
- Industrial
- Parks, Recreation, and Open Space - Planned and Existing
- High Level of Constraint to Development
- Developed and/or Platted Parcels
- Unconfirmed Endangered Species

Note (1): The overall average density projected for undeveloped land in the project area is 3 units per gross acre.

Note (2): This development scenario does not replace the City of Rochester or Olmsted County Land Use Plans nor does it change the typical development process required by the City of Rochester.

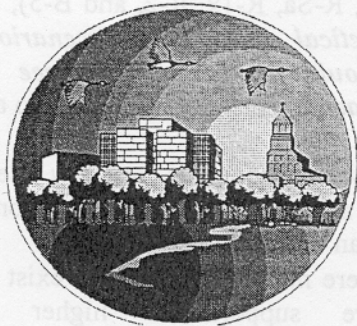
Note (3): Two neighborhood commercial nodes are assumed within the project area. Exact locations are subject to more detailed planning.

0 500 1,000 2,000 Feet



*Alternative Urban Areawide Review
for the
Marion Road Trunk Sanitary Sewer Project*

HYPOTHETICAL DEVELOPMENT SCENARIO



**City of Rochester
Department of Public Works
November 1, 2001**

Why is a hypothetical development scenario needed?

A critical component of the AUAR process is the *hypothetical* development scenario that will be used to determine and evaluate the potential maximum cumulative environmental impacts on the Project Area caused by future development.

What is a development scenario?

A development scenario describes the anticipated types and density of residential and non-residential development throughout the Project Area. It quantifies potential future development in terms of the number of housing units and the amount of non-residential square footage. The City and County Land Use Plans guide the density level selected for the hypothetical development scenario.

Within the Project Area, the County Land Use Plan identifies three land use designations:

- The 25-Year Urban Service Area (USA): lands around municipalities that are intended to have "...centralized sanitary sewer and water systems, storm sewer systems, integrated road systems, public parks, school sites, and public transit...";
- The 50-Year Urban Reserve Area (URA): a holding area for future urban growth similar to the 25-Year USA; and
- The Suburban Development Area (SDA): large lot residential development on individual septic systems and private wells.

The USA covers 67% of the Project Area, while the URA covers 25% and the SDA covers 8%. The City Land Use Plan and Zoning Ordinances govern the USA and URA when those lands are annexed to the City.

Furthermore, as a result of the Rochester-Marion Township Orderly Annexation Agreements, the orderly annexation areas have been rezoned to be consistent with the City Zoning Ordinance. The County Land Use Plan and Zoning Ordinance govern the SDA. Since the City Land Use Plan (in effect since 1978) governs the majority of the Project Area, only the specific land uses allowed in those areas will be discussed below.

What type of development is allowed in the Project Area according to the City Land Use Plan?

Specific allowable land uses in the Project Area include low-density residential (82%), light industrial (1.4%), commercial (0.4%), recreational/open space (0.8%), flood prone (13.4%) and transportation (2.0%). The low-density residential designation applies to areas that are "...intended primarily for single family housing and, where appropriate, other single, isolated uses that are of a similar character and intensity that are supportive of the neighborhood (such as neighborhood groceries or small offices)...". The City Land Use Plan policy language suggests that neighborhoods be designed to contain a mixture of housing types using good design to maintain a lower density residential character and to minimize development impacts such as excessive traffic. The Plan states: "*Mixtures of single- and multi-family uses that arise as a result of planned unit developments in low density areas are also consistent with the Plan.*" Furthermore, it encourages a range of densities and housing types to provide housing choices and affordability. The types of low-density residential development that are allowed are more clearly defined through the use of zoning districts.

The likely zoning district in the Project Area at the time of annexation will be the R-1 (Mixed Single Family) district that requires a minimum lot size of 6,000 square feet for single-family detached houses. However, other zoning districts may be appropriate for the Project Area. The Zoning Ordinance provides for two different zoning districts (I-Interim and H-Holding). These zones would be applicable at the time of annexation and would allow time for the owner or the City to develop specific plans for the area and request specific zoning and, if necessary, an amendment to the Rochester Comprehensive Plan. Other low-density residential zoning districts that are deemed to be representative could also apply in the Project Area once annexation occurs. They are:

- *R-Sa (Mixed Single Family Overlay)*--intended to maintain the character of existing large-lot, single-family residential areas. Lot sizes will vary.
- *R-1x (Mixed Single Family Extra)*--intended to encourage a greater variety of housing types and styles with a slightly greater overall density.
- *R-2 (Low Density Residential)*--intended to encourage a mixture of residential dwelling types that are of an overall low density; this can include 3 and 4 unit multi-family dwellings.

For this hypothetical development scenario, two B-5 neighborhood commercial nodes were assumed for the Project Area. The B-5 district is an acceptable zoning district that allows nodes of less than 10 acres to be developed for neighborhood commercial uses. In many ways, these are encouraged within low-density residential areas to be part of the neighborhood instead of stand-alone, auto-oriented commercial uses because they provide daily convenience shopping and personal service needs while reducing the need to drive longer distances for single-purpose trips.

Other commercial and light industrial areas were designated where substantial compatible uses were located at the time of City Land Use Plan adoption. These areas were also designated along Marion Road for future commercial use and largely reflect pre-existing development patterns. No new substantial industrial development was recommended for this area.

Additional factors that were considered in creating the hypothetical development scenario were provisions in Chapters 63 and 64 of the Rochester Zoning Ordinance that apply a variety of lot development and site design policies to certain areas based on direction from the City Land Use Plan. Of particular importance were situations when vacant lands adjacent to existing large-lot subdivisions would be developed. Transition areas were provided for so that new urban lots would achieve compatibility with adjacent large-lot subdivisions.

Was anything other than allowable land uses considered to define the development scenario

Land use patterns were considered that accounted for existing development, developable residential lands, and areas that are considered 'highly constrained' and are therefore undevelopable. Highly constrained areas consist of floodways, water bodies, and other physical features that are either barriers to construction or features rigorously regulated by law. (Moderate constraints that can be mitigated or low constraints that are unregulated did not affect the overall density applied to the hypothetical development scenario because it cannot be assumed that they will limit development density.) The location of varying levels of residential density within the Project Area depends on infrastructure

capacity, existing development patterns, along with the locations of cultural and natural resource features.

What development scenario ultimately resulted from this analysis?

Given the land use mixes prescribed by the City's Land Use Plan and the associated zoning districts described above (i.e., R-1, R-Sa, R-1x, R-2, and B-5), *the AUAR overall hypothetical development scenario for new development would average about three residential units per gross acre.* This density takes into account the following:

- In areas with moderate or low development constraints, a low *average* density of one unit per gross acre can be expected.
- In areas where minimal constraints exist and public infrastructure supports a higher level of development, the densities may range up to a higher *average* density of six units per gross acre.
- Individual *new* developments within the Project Area may be as high as 15 or more units per gross acre in the R-1x or R-2 zoning districts.
- The hypothetical development scenario neither precludes less dense development nor promotes more dense development than would otherwise be allowed by approved plans and ordinances.

It is important to remember that *the Marion AUAR hypothetical development scenario selected for adoption reflects the highest reasonable and feasible density that could be expected to occur in the Project Area.* This is done to help maintain consistency between future developments within the Project Area such that unanticipated environmental impacts and less rigorous, independent environmental reviews are avoided. In most cases, independent environmental reviews can be avoided if the future development proposals are consistent with the AUAR and Mitigation Plan.

The hypothetical development scenario must be adopted by the City Council. The scenario, once adopted, does not preclude the City and County official plans and ordinances, alter the current regulatory process for development, or change the processes by which interested citizens can continue to participate in the development process.

For more information on the AUAR process, please contact Barb Huberty at 529-4907 or email her at bhuberty@ci.rochester.mn.us. The Marion Road AUAR Project website can be found at: ci.rochester.mn.us/publicworks/auar.htm